

REMARKS

In the January 25, 2005 Final Office Action, the Examiner:

1. Renewed his rejection of claims 1-9, 12-26, 33-41, 44-58 under 35 U.S.C. § 102(e) as anticipated by Yamakazi (U.S. Patent No. 6,693,044).
2. Objected to claims 10-11, 27-32, 42-43, 59-61 as being otherwise allowable claims that are dependent on a rejected base claim.

Applicants have amended claims 1, 2, 33, and 34 to more clearly point out what the inventors consider to be their invention.

The Examiner again rejected claims 1-9, 12-26, 33-41, 44-58 as anticipated by Yamakazi. In response to the Examiner's previous rejection, Applicants argued that Yamakazi does not teach "focused-light annealing."

The Examiner had stated (and states again in this pending Final Office Action) Yamakazi discloses "a step of performing focused-light annealing" and cites to col. 6, line 62-67 in Yamakazi as support. Yamakazi states at col. 6:62-67 to col. 7:1-3:

Next, crystallization of the first amorphous silicon film 101 is carried out by a heat treatment. This heat treatment is carried out in an inert gas atmosphere, a hydrogen atmosphere, or an oxygen atmosphere at a temperature of 500 to 1000 degrees C. for 12 to 72 hours. Although the effect becomes great as the heating temperature becomes high, in view of heat resistance of the substrate, it is necessary that the temperature is made not higher than the distortion point of the substrate to be used.

As discussed in Applicants' previous response, this passage does not mention any "focused-light annealing," nor does it mention any "focused-light lamp annealing." Yamakazi refers to "laser annealing" at col. 7:10-12, but, makes no reference to "focused-light annealing"

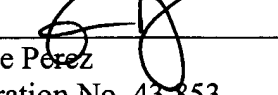
anywhere. Again, Applicants note the problems with laser annealing that were described in the Background in the Invention.

The Examiner noted that the term "lamp" "has been considered but it is not structurally distinguished over the cited art." Final Office Action, at pg. 2. The Examiner also stated in response to Applicants' arguments that "the term 'lamp' is a modifier. This means the structure does not structurally distinguish over the cited prior art." Applicants respectfully submit that the Examiner has not cited any authority for the proposition that a claim term may be said to have no effect simply because it is a modifier. It is well-established that "[t]o anticipate, a single reference must teach each and every limitation of the claimed invention." *See EMI Group N. Am., Inc. v. Cypress Semiconductor Corp.*, 60 USPQ2d 1423 (Fed. Cir. 2001). It would be unfair for an Examiner to choose not to give a term patentable effect simply because the term is not disclosed in the prior art reference. Nevertheless, to further clarify the claims, Applicants have amended claims 1, 2, 33 and 34 to recite "lamp annealing."

Applicants respectfully submit that Yamakazi does not anticipate claims 1-9, 12-26, 33-41, 44-58. Favorable reconsideration is respectfully requested.

Respectfully submitted,

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